

AMENDED

Serial No. 51963

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 31 1988
 Returned to applicant for correction APR 18 1988
 Corrected application filed JUN 15 1988 Map filed JUN 15 1988

The applicant Newmont Gold Company
 P.O. Box 669 of Carlin
 Street and No. or P.O. Box No. City or Town
 NV. 89822 hereby make application for permission to change the
 State and Zip Code No. point of diversion of a portion
 Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under Permit 50940
 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
 identify right in Decree.)

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.5 cfs 70.08 million gallons annually
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for mining milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for mining milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point SE 1/4 SE 1/4 Section 29, T.36N., R.50E. MDB&M at
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
 a point from which the SE Corner of Section 31 same range & township, bears S. 42° 18' 22" W., 7294.13 feet.
- The existing permitted point of diversion is located within SW 1/4 NW 1/4 Section 32, T.36N., R.50E.
If point of diversion is not changed, do not answer.
 MDB&M at a point from which the SW Corner of said Section 32 bears S. 03° 49' W., 3007 feet distance.
- Proposed place of use Same as existing
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use Section 32, T.36N., R.50E., MDB&M
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from 1 January to 31 December of each year.
Month and Day Month and Day
- Use was permitted from 1 January to 31 December of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) a drilled and cased well, equipped with
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
 a motor & pump with pipeline to place of use
- Estimated cost of works \$50,000
- Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use.....5 years.....
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

s/Michael D. Buschelman
By.....Michael D. Buschelman.....Agent.....
5405 Mae Anne Ave.
Reno, NV 89523

Compared.....jjk/jm.....pm/se

Protested.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 50940 is issued subject to the terms and conditions imposed in said Permit 50940 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 50688, 50939, 50940, 51074, 51750 and 51963 shall not exceed 420.48 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.5.....cubic feet per second....., but not to exceed 70.08 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....July 10, 1989

Proof of completion of work shall be filed before.....August 10, 1989

Application of water to beneficial use shall be made on or before.....July 10, 1991

Proof of the application of water to beneficial use shall be filed on or before.....August 10, 1991

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....SEP 7 1989

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I.....PETER G. MORROS.....
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this.....12th.....day of.....October.....

A.D. 19 88

Peter G. Morros
State Engineer

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.